

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, APPROVING A WATER SUPPLY  
ASSESSMENT FOR A DEVELOPMENT APPLICATION AT  
900 KIELY BOULEVARD**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

**WHEREAS,** the City of Santa ("City") approved and adopted an Urban Water Management Plan in 2005 ("2005 UWMP");

**WHEREAS,** California Water Code Section 10910 and Section 15155(b) of the Guidelines to California's Environmental Quality Act ("CEQA") require a water utility to prepare a Water Supply Assessment for development applications for "water-demand projects";

**WHEREAS,** Section 15155(b) of the CEQA Guidelines and Section 10910(g) of the California Water Code requires the governing body of a public water system that will serve a "water demand project" to approve a water supply assessment at a regular or special meeting;

**WHEREAS,** the City is a public water supplier within the city limits and the City Council of the City of Santa Clara is the governing body of the City's public water system;

**WHEREAS,** the City of Santa Clara requires that landscaping for projects be drought tolerant and use of recycled water for irrigation, cooling towers and other permitted uses when properties are proximate to recycled water resources to reduce the cumulative use of potable water;

**WHEREAS,** on December 14, 2007, Fairfield Residential, LLC ("Fairfield") submitted an application to develop 270 single family dwellings and 542 multifamily dwellings at 900 Kiely Boulevard ("Project");

**WHEREAS,** under Section 15155(a)(1)(A) of the CEQA Guidelines and Section 10912(a)(1), a residential development of more than 500 dwelling units requires a Water Supply Assessment.

Accordingly, Fairfield requested an Assessment for the Project on December 14, 2007.

**WHEREAS**, City Staff members prepared a Water Supply Assessment for the Project on August 12, 2008 ("Project WSA") a true and correct copy of the Project WSA is attached hereto as Exhibit A;

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

1. Exhibit. The Exhibit identified in this resolution is incorporated as if fully set forth herein
2. Approval of Project WSA. The Council has reviewed the Project WSA and the data and conclusions set forth therein. Based on the conclusion that there is adequate water to supply the Project without creating a negative impact on the groundwater basin and that the City has an adequate supply to provide water for the project during single or multiple dry years, the Council hereby approves the Project WSA.
3. No Obligation to Act on the Project Application. The Council's approval of the Project WSA is limited to approving the Project WSA; approving the Project WSA does not approve the application for the Project. Nothing in this resolution or the Council's approval of the Project WSA shall be construed as requiring the City or its Council to consider, act on, approve, conditionally approve, deny, or take any other action on the application to develop the Project.
4. Direction to Staff. Staff is hereby directed to include the Project WSA, 2005 City of Santa Clara's Urban Water Management Plan, and any other applicable Urban Water Management Plan in the appendix of the Environmental Impact Report for the Project.
5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have

passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
ROD DIRIDON, JR.  
CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:  
1. 900 Kiely Boulevard Development Application

I:\Water\MEMOS\AGENDA\2008\900 Kiely WSA Resolution-City.doc